



# TOWN OF TYNGSBOROUGH

Office of the Board of Selectmen

Town Offices

25 Bryants Lane

Tyngsborough, MA 01879

Tel: (978) 649-2300 Ext. 100 | Fax: (978) 649-2320

**APPROVED**

## Board of Selectmen Meeting Minutes

Monday, June 17, 2013 at 6:00 P.M.

Community Room, Town Offices, 25 Bryants Lane

Members Present: Members Present: Selectman Rick Reault, Selectman Robert Jackson, Selectwoman Karyn Puleo, Selectman Allen Curseaden, Selectman Corliss Lambert, Staff Present: Town Administrator Michael Gilleberto, Assist Town Administrator Nina Nazarian, and Admin Assistant Therese Gay

### 5:30 PM Chief of Police Promotional Ceremony

The Board hosted a police3 promotional ceremony in recognition of Richard D. Howe. Deputy Richard Howe has been promoted to Chief status effective July 1, 2013. Many officers and town residents were present to recognize and congratulate the newly sworn Police Chief.

The listing of matters are those reasonable anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law. "Chairman Puleo read the following: "The following meeting is being recorded and broadcast through our local cable access channels on Comcast and Verizon FIOS. A recording of this meeting will also be available for viewing on our town's website - tyngsboroughma dot gov. Also, after instruction from the State Fire Marshall and the Tyngsborough Fire Chief, in the event of an emergency, there is an exit to my left and directly across from me, along the back wall."

### 1. 6:00 PM Open Meeting/Pledge of Allegiance/Board Introduction/Read Agenda

The Chairman opened the meeting at 6:35PM followed by the Pledge of Allegiance; the introduction of the Board and the Agenda was read by Rick Reault, Clerk.

### 2. Meeting Minutes

A. Regular Session Meeting Minutes for Approval

1. Monday June 3, 2013

The Board deferred this item to the Monday July 1, 2013 Meeting.

B. Executive Session Minutes for Approval but not Release

1. Monday June 3, 2013

The Board deferred this item to the Monday July 1, 2013 Meeting.

### 3. Citizen/Business Time – No one came forward this evening.

Citizens or business owners may contact the Office of the Selectmen to request to address the Selectmen during citizen/business time. Citizens or business owners who have not contacted the Office of the Selectmen in advance may address the Board of Selectmen on matters of interest to the public for not more than five (5) minutes.

*Town of Tyngsborough*  
Massachusetts





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### 4. New Business

#### A. 6:05 PM Common Victualler License Request – The Pines, 194 Frost Road

Mr Bobola presented his petition for a license to operate the Pines Restaurant. They will serve breakfast, lunch and dinner. The restaurant will be open from 6:00 AM to 9:00 PM

The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectman Lambert to approve the request for a Common Victualler License for the Pines Restaurant at 194 Frost Road.

#### B. 6:15 PM Common Victualler License Request – Pizza Pazzaz, 130 Middlesex Rd

Mr. Yassin presented the Board his petition for a common victualler license to operate Pizaa Pizzazz, a pizza and sandwich take out.

The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectman Lambert to approve the request for a Common Victualler License for the Pizza Pizzazz Restaurant at 130 Middlesex Road.

#### C. Paramedic/Ambulance Contracts – Review/Approve

The Town Administrator and the Fire Chief has been examining the current contract with Trinity Ambulance for Basic Life Support ambulance service, and our current contract with Greater Lowell EMS, now operating as Lowell General EMS, for paramedic services with an eye towards potential improvements. The Town is also in its final drafting stages of the Town's updated EMS Service Zone plan, to be submitted to the State Office of Emergency Services. Both vendors have been charged to work together to develop improved language to better document how they will work together in the future. The new language will be reviewed soon but a final contract may not be in place on July 1. The Administrator recommends that the Board vote to extend the current contract with Trinity Ambulance effective July 1, 2010 to expire on July 31, 2013, and to extend the current contract with Lowell General EMS (formerly Greater Lowell EMS) effective July 1, 2009 to expire on July 31, 2013. The Administrator recommends the Board exercise a one year extension with Trinity, and to approve a new contract with Lowell General, in July. Both services are exempt from Chapter 30B procurement requirements.

The Board voted 5-0-0 on a motion by Selectman Reault, and second by Selectman Jackson to approve the BLS and the Paramedic EMS Service zone plan.

#### D. Sewer Inter-Municipal Agreement – Review/Approve

The Board deferred this item to the Monday July 1, 2013 Meeting.

### 5. Old Business

#### A. Annual Appointments

The Board deferred this item to the Monday July 1, 2013 Meeting.

#### B. Street Acceptance – Approve Order of Taking

In accordance with the procedures for the lay out and acceptance for town ways, MGL c.82, s24, enclosed are the following Order of Tanking for then Board's signature: 1) Order of Street Layout, Acceptance and Taking – includes all 39 streets voted for acceptance at the Annual Town meeting held on May 21, 2013 to be recorded with the Middlesex North Registry of Deeds; and 2) Order of Street Layout, Acceptance and Taking – includes only Descheneaux Lane to also be recorded with the Middlesex North Registry of Deeds, Land Court Section. The Board voted 5-0-0 on a motion by Selectman Jackson, second by Selectman Lambert to approve the Order of Taking in the Middlesex North Registry of Deeds and filing in Land Court.

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### C. MassDoT - Status

Selectman Curseaden updated the Board on the progress of the relocation. Though the weather was not cooperating the contractor was able to get the paving done, the trailer is removed, the markings to be done this week. All is going in good fashion. Phone calls are going back and forth on 11 Indian Lane and waiting for a response.

### 6. Citizen/Business Time – No one came forward this evening.

Citizens or business owners may contact the Office of the Selectmen to request to address the Selectmen during citizen/business time. Citizens or business owners who have not contacted the Office of the Selectmen in advance may address the Board of Selectmen on matters of interest to the public for not more than five (5) minutes.

### 7. Correspondence

A list of correspondence will be included with approved meeting minutes per the requirements of the Massachusetts Open Meeting Law. Copies of correspondence may be requested from the Office of the Board of Selectmen.

#### A. Action

Two pieces of correspondence for action this evening; the Assistant Town Administrator spoke to the U.S. Forest Service National Urban and Community Forestry Challenge Cost-Share Grant Program issued an RFP for projects that support the priorities outlined in the ten year action plan. The idea is to create a simplified LID bylaw that could be applicable to all of the communities and could also serve as a model nationwide. They are looking for feedback from the Board. The Board asks that the information is forwarded to the Planning Board for their comments. The Board voted 5-0-0 on a motion by Selectman Jackson, second by Selectman Reault to forward to the Planning Board for comment and discussion and then return to the Board of Selectmen for approval.

The Board received a letter from the Old Town Hall Building Committee asking the Board to consider appointing the committee to oversee the renovation of the Parish Meeting House. The Board voted 5-0-0 on a motion by Selectman Lambert, second by Selectman Jackson to designate the Old Town Hall Building Committee to oversee the outside restoration of the Adams Barn and the First Parish Meeting House.

#### B. Informational

The Town Administrator has had discussions with the Recreation Director on the request by the Rowing Club, the Administrator has grave concerns at this time and will follow up with the member of the club and the Recreation Director. Information was received on businesses not paying for details, the Police Chief will address the issue.

The Board voted 5-0-0 on a motion by Selectman Reault, second by Jackson to approve the informational correspondence as presented.

### 8. Review of Weekly Warrants

The Administrator read the following weekly warrants into the record: Warrant #50B for \$239,145.21 on 6/10/2013; Warrant #50S for \$239,263.49 on 6/10/2013; Warrant #51B for \$2,316,357.07 on 6/17/2013; Warrant #51P for \$874,063.43 on 6/17/2013; Warrant 51SP for \$388,258.41; and 4 warrants #51sp for \$390,559.08 on 6/19/2013.

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### 9. Town Administrator's Reports

- Response to Selectmen's Requests

Attached is a copy of a memorandum regarding the Board's waiver of permit fee, to the Tyngsborough Housing Authority Commission.

- Budget

The Administrator has spoken with the Chief regarding the Fire Dept. budget. While he expects that the Department will under-expend its appropriation for this fiscal year, due to a long-term military leave and seniority wage adjustments for personnel who joined the department through the grant-funded recruitment and training program, the Fire Department budget will need to be monitored throughout the course of this upcoming fiscal year. Additionally, due to an anticipated medical leave, there may be required additional staffing cost during the daytime shifts.

- Departmental Information

Attached are copies of a recent update provided to the Historical Commission by the Assistant Town Administrator and a copy of the recent filing with MassDoT of Chapter 90 eligible roads.

- Contracting/Procurement

Attached are updates relative to solid waste collection negotiations.

- Other

The Administrator will to participate in the Greater Lowell Chamber of Commerce Business Expo and will contact the Nashua Mayor's Office to continue discussion regarding economic development activities in the vicinity of the state line.

Attached is a letter that was sent to National Grid relative to street lighting south of the bridge. This lighting will complement the lighting to be installed on the bridge.

### 10. Selectmen's Reports

This evening the Board hosted a promotion ceremony for the new Chief of Police, Richard Howe. With pomp and ceremony the Tyngsborough's new Chief of Police was sworn in and pinned.

### 11. 7:00 PM Executive Session

The board may move to go into executive session to discuss strategy with respect to collective bargaining, litigation, or exempt negotiations if an open meeting may have a detrimental effect on such subject matters.

The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectman Jackson to enter into Executive Session to discuss for the following :

- A. Exemption Three – To discuss strategy with respect to collective bargaining because the Chair has declared that an open meeting may have a detrimental effect on the bargaining position of the Board – Mid-Managers Union

and to exit executive session only to adjourn. Roll Call Vote: Selectman Rick Reault, yes; Selectman Robert Jackson, yes; Selectwoman Karyn Puleo, yes; Selectman Allen Curseaden, yes; Selectman Corliss Lambert, yes.

The Board entered into Executive Session at 7:20 PM.

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### 12. 8:00 PM Adjournment

The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectman Lambert to exit Executive Session and adjourn the meeting at 8:30 PM.

Respectfully submitted

Therese Gay  
Admin Assistant

Approved on: Monday July 1, 2013

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# Board of Selectmen Correspondence - Monday June 17, 2013

[illegible]

## Board of Selectmen Correspondence - Monday June 17, 2013 - Action

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